

## **Probate Notes for July 5, 2007**

Probate notes are a recommendation as to the outcome of the petition. Unlike tentative rulings, they do not automatically become adopted as the order of the court. If you wish to have your petition preapproved or would like to continue the matter to cure defects, contact the probate examiner at (530) 406-6718 between the hours of 2 p.m. and 4 p.m.

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**Case: Estate of Richard M. Knee**  
**Case No. CV PB 07-99**

It is recommended to grant the petition to administer the estate and admit the Will to probate.

**Case: Estate of Stanley Tamura**  
**Case No. CV PB 01-160**

It is recommended to continue the matter so that an amended petition may be filed and served.

1. The account supporting schedules do not match the summary of account values.
  - a. Disbursements on the attachment (Ex. B, p. 2) do not match the stated disbursements on the summary of account. (*Petition*, p. 3)
  - b. Losses on sale on the attachment (Ex. B, p. 4) do not match the stated losses on the summary of account. (*Petition*, p. 3) Upon correcting the amount of losses, the statutory fees may need to be recalculated.
2. Notice is not proper, because petitioner did not name or serve the personal representative of the estate of Toshire Tamura, an incorrect Judicial Council form was used, and the proof of mailing is undated.
3. The beneficiary of the entire estate of Stanley H. Tamura is the personal representative of the estate of Toshire Tamura, because Mrs. Tamura survived the decedent. (Prob. Code §6402(b)). The fact that Mrs. Tamura had a revocable trust is not relevant here, as neither the matter of the estate of Mrs. Tamura nor her trust is before the court.
4. A consent to the payment to Mr. Murphy by the personal representative of the estate of Mrs. Tamura is required to be filed. Estate planning for a beneficiary is not a proper expense of administration.

**Case: Probate Conservatorship of Krug**  
**Case No. CV PB 07-105**

Attachment 11 to the petition was not attached. If the missing Attachment 11 is filed, it is recommended to **GRANT** the petition for appointment of conservator of the person and estate.